

Privacy Policy

For ad-hoc CAWI (without target list)

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1 About GfK and the Survey

You (“you”, “your”, “Respondent”) are about to take an online survey (the “Survey”, “Surveys”) conducted by GfK (“GfK”, “we” / “us” / “our”, see section “Contact Information”). We are based in the United States. We process your personal data in compliance with applicable data protection law and other statutory provisions. GfK is part of a global organization (the “GfK Group”), consisting of several companies in and outside the European Union, all predominantly owned by GfK SE in Germany. This Privacy Notice explains what types of personal data concerning you are processed in the course of your participation in the Survey.

2 What are personal data?

Personal data is information that directly or indirectly identifies you as an individual, indirectly meaning when combined with other information, for example, your name, postal address, email address and phone number, or a unique online or digital device identifier.

3 Use of personal data

We process your personal data for the purposes as described below. We do not collect and process more or other types of personal data than are necessary to fulfill the respective purposes pursued by GfK or a client. We will only use personal data as set forth in this Privacy Policy.

3.1 Categories of personal data that are processed in the course of Surveys

We process as a data controller the following categories of personal data:

1. “Survey Data”, meaning the your answers to surveys, which may inadvertently include personal data,
2. your “Pseudonym”, meaning an identification number that is assigned to you when you click on the Survey link in the invitation email you received,
3. “Meta Data”, meaning personal data collected in the background during a Survey, such as by means of browser cookies or internet log files.

However, your “Contact Information”, like name email address or phone number are not in our possession and we do not have access to those, since they are processed by a Fieldwork Partner; see section 5.

3.2 How we use your personal data

We analyze and evaluate Survey Data to fulfill our market research purposes. We report Survey results to our clients in a form that does not personally identify you. Typically, we aggregate the Survey Data with the Survey Data of other Respondents. In some cases we may report the Survey Data on a Respondents' level, using your Pseudonym instead of your name.

We use Meta Data pursuant to our Cookie Policy to enhance the users' experience and improve the performance, user friendliness and security of the Surveys, to analyze patterns of behavior and for purposes of quality assurance, including the prevention and detection of fraud and of disruption or damage to our IT systems. We may be required to use and retain personal data for legal and compliance reasons, such as the prevention, detection, or investigation of a crime, loss prevention, fraud or any other abuse of our services and IT systems. We may also use your personal data to meet our internal and external audit requirements, eliminate fraud, information security purposes, or to protect or enforce our rights, privacy, safety, or property, or those of other persons.

3.3 How we use cookies, similar technologies and log data with our online surveys

We store cookies and local storage data from GfK domains (including domains and subdomains other than the survey domain) on your device that include random unique identifiers. GfK's cookies are generated and stored on a user's computer when an Internet browser visits a survey page delivered by GfK. The GfK cookie does not include your name, address, phone number, email address, or any other personally identifiable information. The cookies do not capture what is done on a given website. The data we collect via the cookie technology is generally considered pseudonymous.

We then interrogate the saved values upon survey entry with existing entries in the survey to determine if a survey was previously entered and completed from the same device and to understand what websites a given device visits. Cookies we set are stored for a period of 2 years at the longest unless you manually delete them. Data in local storage are persistent. You can delete them manually.

4 How we share personal data

4.1 Within GfK Group

We may transfer your personal data to one or more GfK Group affiliated companies as needed for data processing and storage, providing you with access to our Surveys, providing support, making decisions about service improvements, content development and for other purposes as described in Section 3 of this Privacy Policy. We do not disclose personal data of Respondents to third parties outside the GfK Group unless Respondents have declared their prior explicit consent for the specific purpose.

4.2 External service providers

Where necessary, we will commission other companies and individuals to perform certain tasks contributing to our services on our behalf within the framework of data processing agreements. For example, we use Dstillery as a third party data source to enrich our data. We may use, at our discretion, service providers, contractors or partners for hosting our databases and applications, for data processing services, or to send you information that you requested. We will only share with or make accessible such data to external service providers to the extent required for the respective purpose. This data may not be used by them for any other purposes, in particular not for their own or third party purposes. GfK's external service providers are contractually bound to respect the confidentiality of your personal data.

4.3 Business transfers

In connection with any reorganization, restructuring, merger or sale, or other transfer of assets (collectively "Business Transfer"), we will transfer data, including personal data, in a reasonable scale and as necessary for the Business Transfer, and provided that the receiving party agrees to respect your personal data in a manner that is consistent with applicable data protection laws. We will continue to ensure the confidentiality of any personal data and give affected users notice before personal data become subject to a different Privacy Policy.

4.4 Public bodies

We will only disclose your personal data to public bodies where this is required by law. GfK will for example respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence.

5 Fieldwork Partners

We work with other companies who source participants in the Survey. These may be other GfK Group companies or external suppliers (together "Fieldwork Partners"). Fieldwork Partners invite you to take part in the Survey. Fieldwork Partners have your Contact Information in their possession, otherwise they could not invite you, but they do not share it with us.

6 International transfers of personal data

Under specific circumstances, it will also be necessary for GfK to transfer your personal data to countries outside the United States and the European Union/ European Economic Area (EEA), so called "third countries". Such third country transfers may refer to all processing activities describes under Sec. 3 of this Privacy Policy. This Privacy Policy shall apply even if we transfer personal data to third countries, in which a different level of data protection applies than in your country of residence. In particular, an international data transfer may apply in the following scenarios:

6.1 Legal entities of GfK Group

GfK Group's legal entities outside the European Union have entered into intra-company data protection agreements using standard contractual clauses adopted by the European Commission to safeguard your privacy and legitimize international data transfers.

6.2 Other third parties outside the European Union (EU) and the European Economic Area (EEA)

Any transfers of personal data to third parties outside the GfK Group will be carried out with your prior knowledge and, where applicable, with your consent. Any transfers of personal data into

countries other than those for whom an “adequacy decision”^{*} regarding the level of data protection was made by the European Commission occur on the basis of contractual agreements using standard contractual clauses adopted by the European Commission or other appropriate safeguards in accordance with the applicable law

^{*}) See https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

7 Security

GfK takes data security seriously. We apply an appropriate level of security and have therefore implemented reasonable physical, electronic, and administrative procedures to safeguard the data we collect from accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data transmitted, stored or otherwise processed. Our information security policies and procedures are closely aligned with widely accepted international standards and are reviewed regularly and updated as necessary to meet our business needs, changes in technology, and regulatory requirements. Access to your personal data is granted only to those personnel, service providers or GfK affiliates with a business need-to-know or who require it in order to perform their duties.

In the event of a data breach containing personal data, GfK will follow all applicable data breach notification laws.

8 Your legal rights

As a data subject, you have specific legal rights relating to the personal data we collect from you. This applies to all processing activities explained in Section 3 of this Privacy Policy. GfK will respect your individual rights and will deal with your concerns adequately.

The following list contains information on your legal rights, which arise from applicable data protection law:

- **Right to withdraw consent:** Where the processing of personal data is based on your consent you may withdraw this consent at any moment. Please see section 11 “Contact information, data controller and exercise of your legal rights”. As a Respondent please note that by withdrawing consent you typically end your participation in the respective project and will no longer be eligible for any rewards or incentives that GfK may eventually offer to Respondents.

- **Right to rectification:** You may obtain from us rectification of personal data concerning you. We make reasonable efforts to keep personal data in our possession or control which are used on an ongoing basis, accurate, complete, current and relevant, based on the most recent information available to us. In appropriate cases, we provide self-service internet portals where users have the possibility to review and rectify their personal data.
- **Right to restriction:** You may obtain from us restriction of processing of your personal data, if
 - you challenge the accuracy of your personal data for the period we need to verify the accuracy,
 - the processing is unlawful and you request the restriction of processing rather than erasure of your personal data,
 - we do no longer need your personal data but you require them for the establishment, exercise or defense of legal claims, or
 - you object to the processing while we verify whether our legitimate grounds override yours.
- **Right to access:** You may ask us from us information regarding personal data that we hold about you, including information as to which categories of personal data we have in our possession or control, what they are being used for, where we collected them, if not from you directly, and to whom they have been disclosed, if applicable. You may obtain from us one copy, free of charge, of personal data we hold about you. We reserve the right to charge a reasonable fee for each further copy you may request.
- **Right to portability:** At your request, we will transfer your personal data to another controller, where technically feasible, provided that the processing is based on your consent or necessary for the performance of a contract. Rather than receiving a copy of your personal data you may request that we transfer the data to another controller, specified by you, directly.
- **Right to erasure:** You may obtain from us erasure of your personal data, where
 - the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
 - you have a right to object further processing of your personal data (see below) and execute this right object to the processing;
 - the processing is based on your consent, you withdraw your consent and there is no other legal ground for the processing;
 - the personal data have been unlawfully processed;

unless the processing is necessary

- for compliance with a legal obligation which requires processing from us;
 - in particular for statutory data retention requirements;
 - for the establishment, exercise or defense of legal claims.
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- **Right to object:** You may object – at any time – to the processing of your personal data due to your particular situation, provided that the processing is not based on your consent but on our legitimate interests or those of a third party. In this event we shall no longer process your personal data, unless we can demonstrate compelling legitimate grounds and an overriding interest for the processing or for the establishment, exercise or defense of legal claims. If you object to the processing, please specify whether you wish the erasure of your personal data or the restriction of its processing by us.
 - **Right to lodge a complaint:** In case of an alleged infringement of applicable privacy laws, you may lodge a complaint with the data protection supervisory authority in the country you live in or where the alleged infringement occurred.

Please note:

- **Time period:** We will try to fulfill your request within 30 days. However, the period may be extended due to specific reasons relating to the specific legal right or the complexity of your request.
- **Restriction of access:** In certain situations we may not be able to give you access to all or some of your personal data due to statutory provisions. If we deny your request for access, we will advise you of the reason for the refusal.
- **No identification:** In some cases, we may not be able to look up your personal data due to the identifiers you provide in your request. For example, we cannot look up your Survey Data and Meta Data when you provide your name and email address and were invited to a Survey by an external Fieldwork Partner (please see also section Fieldwork Partners “Fieldwork Partners”).

In cases where we cannot identify you as a data subject, we are not able to comply with your request to execute your legal rights as described in this section, unless you provide additional information enabling your identification.

- **Exercise your legal rights:** In order to exercise your legal rights, please contact our Data Protection Officer in writing or text from, e.g. by email or letter. For contact information, please refer to the end of this Privacy Policy.

You may wish to make a request in exercise of your legal rights with the Fieldwork Partner who invited you on our behalf to take part in the Survey. This way, you avoid disclosing your identity to us in the first place. If your request is concerning your Contact Information, the Fieldwork Partner will normally be the appropriate addressee of the request since we do not have access to your Contact Information. Should your request be related to personal data that are in our possession, the Fieldwork Partner will convey your request to us by reference to your Pseudonym and we will treat your request as if we received it from you directly.

9 Retention of your personal data

In general, we will delete the personal data we collected from you if they are no longer necessary to achieve the purposes for which they were originally collected.

We typically retain Survey Data including Pseudonyms for a period of one (1) year. Should a longer retention period apply, we inform respondents accordingly in the email invitation or on the start page of the survey.

We retain Meta Data for up to 2 years.

We will not delete all of your personal data if you requested from us to refrain from re-contacting you in the future. For this purpose, GfK keeps records which contain information on people who do not want to be re-contacted in the future (e.g. by means of email newsletters or recruiting campaigns for market research projects).

10 Changes to this Privacy Policy

We reserve the right, at our discretion, to modify our privacy practices and update and make changes to this Privacy Policy at any time. For this reason, we encourage you to refer to this Privacy Policy each time before you take a Survey that is conducted or hosted by GfK. This Privacy Policy is current as of the "last revised" date indicated above. We will treat your personal data in a manner consistent with the Privacy Policy under which they were collected, unless we have your consent to treat them differently.

11 Contact information, data controller and exercise of your legal rights

Please direct your questions regarding the subject matter of data protection and any requests in the exercise of your legal rights to the Data Protection Officer: dpo_germany@gfk.com.

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